

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Masaomi TajimiApplication No./Patent No.: 10/537,482 Filed/Issue Date: 11/18/2005Entitled: **TETRAHYDRO-NAPHTHALENE DERIVATIVES**

Xention Limited, a \_\_\_\_\_  
 (Name of Assignee) \_\_\_\_\_  
 (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest  
 (The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Tajimi et al To: BAYER HEALTHCARE AG  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached. (EXHIBIT A)
2. From: BAYER HEALTHCARE AG To: XENTION LIMITED  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached. (EXHIBIT B)
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

X ThunissenX 31 october 2005

Signature

Date

X Thunissen BREWERX +44 1223 493937

Printed or Typed Name

Telephone Number

X DIRECTOR

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# EXHIBIT A

# Assignment

For valuable consideration, the receipt and adequacy of which is hereby acknowledged,

I/We

1) Masaomi Tajimi 2) Toshio Kokubo 3) Masahiro Shiroo 4) Yasuhiro Tsukimi  
5) Takeshi Yura 6) Klaus Urbahns 7) Noriyuki Yamamoto 8) Muneto Mogi  
9) Hiroshi Fujishima 10) Tsutomu Masuda 11) Nagahiro Yoshida  
12) Toshiya Moriwaki

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12) 2-25-4, Kitayamato, Ikoma-shi, Nara-ken, 630-0121, Japan

hereby sell, assign, and transfer unto Bayer HealthCare AG a corporation of Germany located at D 51368 Leverkusen, Germany the entire right, title, and interest in and to my/our application for Letters Patent of the United States, executed concurrently herewith, entitled

## TETRAHYDRO-NAPHTHALENE DERIVATIVES

Filed: November 28, 2003 PCT-Serial No.: PCT/EP2003/013453

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Date/Datum

May 20, 2005

Inventor(s)/Erfinder

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June 8, 2005

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May 20, 2003

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26. Mai 2005

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May 13, 2005

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hereby sell, assign, and transfer unto Bayer HealthCare AG a corporation of Germany located at D 51368 Leverkusen, Germany the entire right, title, and interest in and to my/our application for Letters Patent of the United States, executed concurrently herewith, entitled

## TETRAHYDRO-NAPHTHALENE DERIVATIVES

Filed: November 28, 2003 PCT-Serial No.: PCT/EP2003/013453  
and my/our entire right, title, and interest in and to all my/our inventions, whether joint or sole, disclosed in said application for Letters Patent, and in and to all divisional or continuation applications that may be filed for United States Letters Patent for any of said inventions, and in and to all patents that may be granted on the foregoing applications, and I/we hereby agree, whenever requested, to communicate to said assignee, its successors and assigns, any facts known to my/us respecting said inventions and to execute all applications or papers necessary to obtain and maintain proper patent protection on said inventions in the United States.

Date/Datum

Inventor(s)/Erfinder

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# Assignment

For valuable consideration, the receipt and adequacy of which is hereby acknowledged,

I/We

1) Masaomi Tajimi 2) Toshio Kokubo 3) Masahiro Shiroo 4) Yasuhiro Tsukimi  
5) Takeshi Yura 6) Klaus Urbahns 7) Noriyuki Yamamoto 8) Muneto Mogi  
9) Hiroshi Fujishima 10) Tsutomu Masuda 11) Nagahiro Yoshida  
12) Toshiya Moriwaki

1) 762 Kyokutoudai, Chita-shi, Aichi-ken, 478-0044, Japan  
2) 3-15-18B, Jingu, Nara-shi, Nara-ken, 631-0804, Japan  
3) 20 Lady Jermy Way, Teversham, Cambridge CB1 5BE, Great-Britain  
4) 2-10-6, Shimosakabe, Amagasaki-shi, Hyogo-ken, 661-0975 Japan  
5) 3-11-6-101, Kirigaoka, Handa-shi, Aichi-ken, 475-0928, Japan  
6) Martenstorget 8, 22351 Lund, Sweden  
7) 2-1-11-1001, Nagatanaka, Higashiosaka-shi, Osaka-fu, 577-0013, Japan  
8) 63-23-208, Nishikitsuji-cho, Nara-shi, Nara-ken, 630-8325, Japan  
9) 3-23-25, Sakyo, Nara-shi, Nara-ken, 631-0801, Japan  
10) 180-5, Teramachi, Handa-shi, Aichi-ken, 475-0844 Japan  
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## TETRAHYDRO-NAPHTHALENE DERIVATIVES

Filed: November 28, 2003 PCT-Serial No.: PCT/EP2003/013453

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Date/Datum

Inventor(s)/Erfinder

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May 16, 2005

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May. 19, 2005

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May 21, 2005

12. Toshiya Moriwaki

# **EXHIBIT B**

**CONFIRMATORY/DECLARATORY PATENT ASSIGNMENT**

**PARTIES:**

- (1) Bayer HealthCare AG (incorporated in Germany)  
of 51368 Leverkusen  
Germany  
("ASSIGNOR")
- (2) XENTION LIMITED (incorporated in the United Kingdom)  
of Iconix Park  
London Road  
Pampisford  
Cambridge  
Cambridgeshire  
CB22 3EG  
United Kingdom  
("ASSIGNEE")

**RECITALS:**

- A. The ASSIGNEE is the applicant or proprietor in respect of the patent applications and patents particularised in the Schedule (the "APPLICATIONS AND PATENTS").
- B. The ASSIGNEE is entitled to all rights in the APPLICATIONS AND PATENTS by virtue of an assignment dated 19th March 2007 and the parties have agreed to execute this Agreement for the purpose of confirming the ASSIGNEE's rights in the APPLICATIONS AND PATENTS and to record the ASSIGNEE's interest in the same.

**OPERATIVE TERMS:**

In consideration of the sum of €1 (one Euro) and other good and valuable consideration paid by the ASSIGNEE to the ASSIGNEE (the receipt and sufficiency of which are hereby acknowledged) IT IS AGREED as follows:

1. Assignment

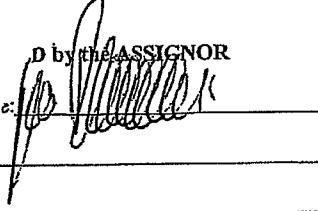
The ASSIGNEE hereby confirms and declares the assignment to the ASSIGNEE and the ASSIGNEE hereby confirms its acceptance of all the ASSIGNEE's property right title and interest in and to the APPLICATIONS AND PATENTS for all designated states including without limitation:

- (a) the APPLICATIONS AND PATENTS, any parent patent applications, and all patent applications, patents and supplementary protection certificates which may derive or result from any of the same, including any divisionals, continuations, reissues, extensions and registrations in relation to any thereof and all and any other rights in the inventions comprised in any of the above (together referred to as the "PATENT RIGHTS");  
(b) the benefit of all priority dates;  
(c) the right to seek and obtain registrations in other countries;  
(d) the right to sue for and obtain injunctive relief, damages and all other relief in respect of any infringement or misuse (whether past present or future) of any of the PATENT RIGHTS or of the rights conferred by publication of any of the same.

2. Authorisation

The ASSIGNEE hereby authorises the ASSIGNEE and the ASSIGNEE's agents to sign all such forms on behalf of the ASSIGNEE as the ASSIGNEE considers appropriate in order to record the APPLICATIONS AND PATENTS and any other PATENT RIGHTS in the name of the ASSIGNEE.

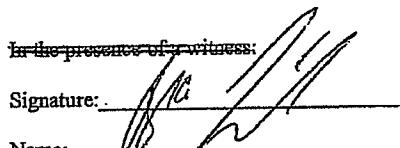
IN WITNESS of which the parties have executed this Agreement in accordance with their statutes by duly authorised officers effective on the date of the later of the parties' signatures.

  
D by the ASSIGNOR

Date: \_\_\_\_\_

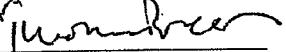
Date: \_\_\_\_\_

Place: \_\_\_\_\_

In the presence of a witness:  
  
Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
In the presence of a witness:  
Address: Signature  
Name: Johann Manta  
N. Sreeni

AND in the presence of a Notary Public  
(who hereby certifies the identity and authority  
of the signatory to bind the ASSIGNOR)  
Signature: \_\_\_\_\_

EXECUTED by the ASSIGNEE

Signature   
Name: THOMAS BREWER

Title: DIRECTOR

Date: 31 October 2008

Place: Cambridge

In the presence of a witness

Signature \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AND in the presence of a Notary Public  
(who hereby certifies the identity and authority  
of the signatory to bind the ASSIGNEE)

Signature: \_\_\_\_\_

**SCHEDULE - THE APPLICATIONS AND PATENTS**

Application PCT/EP03/04395 (published as WO 03/095420) and all national patent applications and patents deriving from the same and all foreign equivalents thereof, including continuations, continuations-in-part, divisionals, renewals, extensions, reissues, and re-examinations, including:

Country	Application number	Application date	Grant number	Grant date	Status
Argentina	P030101614	08/05/2003			Pending
Austria	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Australia	2003229734	28/04/2003			Pending
Belgium	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Bulgaria	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Brazil	PI0309940-7	28/04/2003			Pending
Bahamas	1553	08/05/2003			Pending
Canada	2487238	28/04/2003			Pending
Switzerland	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Chile	925-03	08/05/2003	43543	28/07/2008	Granted
China	03815988.0	28/04/2003	ZL03815988.0	28/03/2007	Granted
Colombia	04122513	28/04/2003			Pending
Cuba	254/2004	28/04/2003			Pending
Czech Republic	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Germany	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Denmark	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Dominican Republic	P-2003/07/05/01	07/05/2003			Pending
Ecuador	04-5413	28/04/2003			Pending
Europe	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Spain	03722554.7	28/04/2003	1506167	29/08/2007	Granted
France	03722554.7	28/04/2003	1506167	29/08/2007	Granted
United Kingdom	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Guatemala	PI-2003-0102	05/05/2003	5108/403/18	08/06/2006	Granted
Hong Kong	06102754.6	28/04/2003	1082946B	28/09/2007	Granted
Honduras	PI/DE2003/138	07/05/2003	4599	15/03/2007	Granted
Croatia	20041167	28/04/2003			Pending
Hungary	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Indonesia	W-00200402735	28/04/2003			Pending
Ireland	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Israel	165004	28/04/2003			Pending
India	3402/DELNP/2004	28/04/2003			Pending
Italy	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Jamaica	18/1/4227	06/05/2003			Pending
Japan	2004-503441	28/04/2003			Pending
Republic of Korea	10-2004-7017969	28/04/2003			Pending
Morocco	PV/27.935	28/04/2003			Pending
Mexico	PA/a/2004/10938	28/04/2003	249317	24/09/2007	Granted
Malaysia	PI20031696	28/04/2003			Pending
Netherlands	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Norway	20045359	28/04/2003			Pending
New Zealand	536418	28/04/2003	536418	10/08/2006	Granted
Peru	445-2003	07/05/2003	4576	30/03/2007	Granted
Philippines	1-2004-501788	28/04/2003			Pending
Pakistan	396/2003	06/05/2003			Pending
Poland	P-373257	28/04/2003			Pending
Portugal	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Romania	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Russian Federation	2004136281	28/04/2003			Pending
Sweden	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Singapore	200406475-4	28/04/2003	107472	31/10/2005	Granted
Slovakia	03722554.7	28/04/2003	1506167	29/08/2007	Granted
El Salvador	1795-2003	08/05/2003			Pending

and Tobago	0301001653	01/05/2003			Pending
A	TT/A/2004/00173	28/04/2003			Pending
92112380		07/05/2003	I271396	21/01/2007	Granted
mine	20041210079	28/04/2003	77301	15/11/2006	Granted
ited States	10/513848	28/04/2003			Pending
Uruguay	27.794	06/05/2003			Pending
Venezuela	2003-000740	08/05/2003			Pending
South Africa	2004/8993	28/04/2003	2004/8993	25/01/2006	Granted

PCT Application PCT/EP2003/013453 (published as WO 2004/052846) and all national patent applications and patents deriving from the same and all foreign equivalents thereof, including continuations, continuations-in-part, divisionals, renewals, extensions, reissues, and re-examinations, including:

Country	Application number	Application date	Grant number	Grant date	Status
Austria	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Belgium	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Bulgaria	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Canada	2508618	28/11/2003			Pending
Switzerland	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Czech Republic	03785688.7	28/11/2003	1569896	15/08/2007	Granted
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Ireland	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Italy	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Japan	2004-557951	28/11/2003			Pending
Netherlands	03785688.7	28/11/2003	1569896	15/08/2007	Granted
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Sweden	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Slovakia	03785688.7	28/11/2003	1569896	15/08/2007	Granted
United States	10/537482	28/11/2003	7381840	03/06/2008	Granted
United States	12/103396	28/11/2003			Pending - Divisional of 10/537482

PCT Application PCT/EP2003/013452 (published as WO 2004/052845) and all national patent applications and patents deriving from the same and all foreign equivalents thereof, including continuations, continuations-in-part, divisionals, renewals, extensions, reissues, and re-examinations, including:

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Austria	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Belgium	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Bulgaria	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Canada	2508845	28/11/2003			Pending
Switzerland	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Czech Republic	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Germany	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Denmark	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Europe	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Spain	03780088.5	28/11/2003	1572632	13/08/2008	Granted
France	03780088.5	28/11/2003	1572632	13/08/2008	Granted
United Kingdom	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Hungary	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Ireland	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Italy	03780088.5	28/11/2003	1572632	13/08/2008	Granted

United Kingdom	2004-557950	28/11/2003			Pending
United States	03780088.5	28/11/2003	1572632	13/08/2008	Granted
United States	03780088.5	28/11/2003	1572632	13/08/2008	Granted
United States	03780088.5	28/11/2003	1572632	13/08/2008	Granted
United States	03780088.5	28/11/2003	1572632	13/08/2008	Granted
United States	10/537217	28/11/2003			Pending

PCT Application PCT/EP2004/010606 (published as WO 2005/040119) and all national patent applications and patents deriving from the same and all foreign equivalents thereof, including continuations, continuations-in-part, divisionals, renewals, extensions, reissues, and re-examinations, including:

Country	Application number	Application date	Grant number	Grant date	Status
Canada	2540647	22/09/2004			Pending
Europe	04765478.5	22/09/2004			Pending
Japan	2006-530003	22/09/2004			Pending
United States	10/574122	22/09/2004			Pending

r. 1685/2008

I certify that the individuals, named

- Mr. Dr. Jörg Thomaier, business address : 51368 Leverkusen,  
Bayer HealthCare AG, Chempark, Germany,
- Mr. Dr. Dieter Linkenheil, business address : 51368 Leverkusen,  
Bayer HealthCare AG, Chempark, Germany,
- Mr. Johannes Mautes, business address : 51368 Leverkusen, Bayer Business  
Services GmbH, Chempark, Germany,
- Mrs. Norma Geronica Baum, business address : 51368 Leverkusen,  
Bayer Business Services GmbH, Chempark, Germany

appeared before me and executed the foregoing document and signed personally

- Mr. Dr. Jörg Thomaier, Mr. Dr. Dieter Linkenheil, Mr. Johannes Mautes and  
Mrs. Norma Geronica Baum are personally known to me -.

I further confirm that Mr. Dr. Jörg Thomaier and Mr. Dr. Dieter Linkenheil are authorised representatives of Bayer HealthCare Aktiengesellschaft in Leverkusen and having today inspected the commercial register of the local court in Cologne, are recorded in Section B 49894 as authorised representatives.

2. Ich beglaubige die vor mir vollzogenen Unterschriften von :

- Herrn Dr. Jörg Thomaier, geschäftsansässig : 51368 Leverkusen,  
Bayer HealthCare AG, Chempark, Bundesrepublik Deutschland,
- Herrn Dr. Dieter Linkenheil, geschäftsansässig : 51368 Leverkusen,  
Bayer HealthCare AG, Chempark, Bundesrepublik Deutschland,
- Herrn Johannes Mautes, geschäftsansässig : 51368 Leverkusen,  
Bayer Business Services GmbH, Chempark, Bundesrepublik Deutschland,
- Frau Norma Geronica Baum, geschäftsansässig : 51368 Leverkusen,  
Bayer Business Services GmbH, Chempark, Bundesrepublik Deutschland,
- Herr Dr. Jörg Thomaier, Herr Dr. Dieter Linkenheil, Herr Johannes Mautes und  
Frau Norma Geronica Baum sind persönlich bekannt -.

Ich bescheinige aufgrund Einsicht vom heutigen Tage in das Handelsregister des Amtsgerichts Köln HRB 49894 -, dass Herr Dr. Jörg Thomaier und Herr Dr. Dieter Linkenheil berechtigt sind, die Bayer HealthCare Aktiengesellschaft in Leverkusen als Prokurratoren einzeln zu vertreten.

Leverkusen, den 22. Oktober 2008

Klaus Striewski  
(Notar in Leverkusen)